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**COMMISSION IMPLEMENTING DECISION**

**of 17.11.2015**

**approving certain elements of the cooperation programme "Interreg V B Atlantic Area"  
for support from the European Regional Development Fund under the European  
territorial cooperation goal in Ireland, Spain, France, Portugal and the United Kingdom**

**CCI 2014TC16RFTN002**

**(ONLY THE ENGLISH, SPANISH, FRENCH AND PORTUGUESE TEXTS ARE  
AUTHENTIC)**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006<sup>1</sup>, and in particular Article 29(4) thereof,

Having regard to Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on the specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal<sup>2</sup>, and in particular Article 8(12) thereof,

Whereas:

- (1) On 22 May 2015, Portugal on behalf of Ireland, Spain, France, Portugal and the United Kingdom ('the participating Member States') submitted, through the electronic data exchange system of the Commission ('SFC2014'), the cooperation programme "Interreg V B Atlantic Area" for support from the European Regional Development Fund (ERDF) under the European territorial cooperation (ETC) goal in the participating Member States.
- (2) The cooperation programme was drawn up by the participating Member States in cooperation with the partners referred to in Article 5(1) of Regulation (EU) No 1303/2013 and the Commission.
- (3) Pursuant to Article 3(3) of Regulation (EU) No 1299/2013, the cooperation programme should support a programme area from the list set out in Annex III to Commission Implementing Decision 2014/388/EU<sup>3</sup>.

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<sup>1</sup> OJ L 347, 20.12.2013, p. 320.

<sup>2</sup> OJ L 347, 20.12.2013, p. 259.

<sup>3</sup> Commission Implementing Decision 2014/388/EU of 16 June 2014 setting up the list of regions and areas eligible for funding from the European Regional Development Fund under the cross-border and

- (4) By Commission Regulation (EC) No 868/2014<sup>4</sup>, NUTS level 2 region “PT17 Lisboa” in Portugal, as listed in Annex III to Implementing Decision 2014/388/EU, was replaced on 2 September 2014. Although that modification does not have any consequence on financial distribution or the programme area, it is appropriate to clarify the equivalence between the NUTS level 2 region under the situation before and after 2 September 2014.
- (5) In accordance with Article 29 of Regulation (EU) No 1303/2013, the Commission assessed the cooperation programme and made observations pursuant to paragraph 3 of that Article on 20 July 2015. Portugal provided supplementary information and submitted a revised cooperation programme on 13 October 2015.
- (6) The Commission concluded that the cooperation programme contributes to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion and is consistent with Regulations (EU) No 1299/2013 and (EU) No 1303/2013.
- (7) The cooperation programme contains all the elements referred to in Article 8(1) to (9) of Regulation (EU) No 1299/2013 and was prepared in accordance with the model set out in Annex II to Commission Implementing Regulation (EU) No 288/2014<sup>5</sup>.
- (8) Pursuant to the second paragraph of Article 76 of Regulation (EU) No 1303/2013, this Decision constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council<sup>6</sup>. It is nevertheless necessary to specify the elements needed to make the budgetary commitments with respect to the cooperation programme.
- (9) Pursuant to point (d) of the first subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, it is necessary to specify, for each year, the amount of the total financial appropriation envisaged for the support from the ERDF. It is also necessary to specify the amount of the total financial appropriation of the support from ERDF and the national co-financing for the whole programming period, for the cooperation programme and for each priority axis.
- (10) Pursuant to Article 120(1) and (2) of Regulation (EU) No 1303/2013, it is necessary to fix for each priority axis the co-financing rate and to specify whether the co-financing

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transnational components of the European territorial cooperation goal for the period 2014 to 2020 (OJ L 183, 24.6.2014, p. 75).

<sup>4</sup> Commission Regulation (EU) No 868/2014 of 8 August 2014 amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 241, 13.8.2014, p. 1).

<sup>5</sup> Commission Implementing Regulation (EU) No 288/2014 of 25 February 2014 laying down rules pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund with regard to the model for operational programmes under the Investment for growth and jobs goal and pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal with regard to the model for cooperation programmes under the European territorial cooperation goal (OJ L 87, 22.3.2014, p. 1).

<sup>6</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

rate for the priority axis applies to total eligible expenditure, including public and private expenditure, or to eligible public expenditure.

- (11) This Decision is without prejudice to the Commission's position regarding compliance of any operation supported under the cooperation programme with the State aid rules applicable at the time when the support is granted.
- (12) In accordance with Article 8(12) of Regulation (EU) No 1299/2013, the elements of the cooperation programme referred to in points (a), (b)(i) to (vi), (c)(i) to (iv), (d) of the first subparagraph of paragraph 2, paragraph 3, points (a)(ii) to (vi) and (b) of paragraph 4 and paragraph 9 of that Article should therefore be approved,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The following elements of the cooperation programme "Interreg V B Atlantic Area" for support from the European Regional Development Fund (ERDF) under the European territorial cooperation (ETC) goal in Ireland, Spain, France, Portugal and the United Kingdom ('the participating Member States') for the period from 1 January 2014 to 31 December 2020, submitted in its final version on 13 October 2015 are hereby approved:

- (a) the justification for the choice of thematic objectives, corresponding investment priorities and financial allocations, as set out in Sections 1.1.2 and 1.2 of the cooperation programme;
- (b) the elements required for each priority axis by points (b) and (c) of the first subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, as set out in Section 2 of the cooperation programme with the exception of Sections 2.A.8 and 2.B.6;
- (c) the elements of the financing plan required pursuant to point (d) of the first subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, as set out in Tables 15, 16 and 17 of Section 3 of the cooperation programme;
- (d) the integrated approach to territorial development showing how the cooperation programme contributes to the accomplishment of its objectives and expected results, as set out in Section 4 of the cooperation programme;
- (e) the implementing provisions which identify the body or bodies designated to carry out control tasks and body or bodies designated to be responsible for carrying out audit tasks, implementing provisions which lay down the procedure for setting up the joint secretariat and which set out a summary description of the management and control arrangements as well as those which set out the apportionment of liabilities among the participating Member States in the event of financial corrections imposed by the managing authority or the Commission, as set out in Table 22 and Sections 5.2, 5.3 and 5.4 of the cooperation programme;
- (f) the body to which payments are to be made by the Commission, as set out in Table 21 (only the part referring to the body to which payments will be made by the Commission).

#### *Article 2*

The following priority axes shall be supported by the cooperation programme:

- (a) Priority axis 1 "Stimulating innovation and competitiveness";

- (b) Priority axis 2 "Fostering resource efficiency";
- (c) Priority axis 3 "Strengthening the territory's resilience to risks of natural, climate and human origin";
- (d) Priority axis 4 "Enhancing biodiversity and the natural and cultural assets";
- (e) Priority axis 5 "Technical assistance".

#### *Article 3*

The programme area covers the regions of the Union as set out in Implementing Decision 2014/388/EU with regard to the cooperation programme.

However, in Portugal NUTS level 2 region "PT17 Lisboa" was replaced by NUTS level 2 region "PT17 Área Metropolitana de Lisboa".

#### *Article 4*

Expenditure shall be eligible from 1 January 2014.

#### *Article 5*

1. The maximum amount of the total financial appropriation envisaged for the support from the ERDF is set out in Annex I.
2. The total financial appropriation for the cooperation programme is set at EUR 140 013 194, to be financed from the budget line 13 03 64 01 (ERDF - European territorial cooperation) in accordance with the nomenclature of the General Budget of the European Union for 2015.
3. The co-financing rate for each priority axis is set out in Annex II. The co-financing rate of priority axes 1, 2, 3 and 4 shall apply to total eligible expenditure, including private and public expenditure. The co-financing rate of priority axis 5 shall apply to eligible public expenditure.

*Article 6*

This Decision is addressed to Ireland, the Kingdom of Spain, the French Republic, the Portuguese Republic, the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 17.11.2015

*For the Commission*  
*Corina CREȚU*  
*Member of the Commission*

